



Atty. Dkt. No. 041129-0110

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: John Patrick FITZGERALD et al

Title: PSEUDO-RANDOM BINARY SEQUENCE  
GATE-SWITCHING FOR SPECTROMETERS

Appl. No.: 10/553,417

Filing Date: 10/17/2005

Examiner: Phillip A. JOHNSTON

Art Unit: 2881

Confirmation Number: 1526

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated April 3, 2008, finally rejecting Claims 1, 5 and 6.

[  ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[  ] Notice of Appeal Fee

[  ] To be paid as detailed below

09/04/2008 SZEWDIE1 00000074 10553417

01 FC:1401	510.00	0P
02 FC:1252	460.00	0P

The required fees are calculated below:

[ X ]	Notice of Appeal Fee	\$510.00
[ X ]	Extension for response filed within the second month:	\$460.00
	FEE TOTAL:	\$970.00
	TOTAL FEE:	\$970.00

A credit card payment form in the amount of \$970.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By 

Date September 3, 2008

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